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Letter dated 14 October 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 4 October 2004, addressed to you by His Excellency Mr. Reşat Çağlar, Representative of the Turkish Republic of Northern Cyprus (see annex), forwarding the letter of His Excellency Mr. Mehmet Ali Talat, Prime Minister of the Turkish Republic of Northern Cyprus.

I should be grateful if the present letter could be circulated as a document of the General Assembly under agenda item 29, and of the Security Council.

(*Signed*) Altay **Cengizer**
Minister Counsellor
Deputy Permanent Representative

04-55678 (E) 221004

Annex to the letter dated 14 October 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

I have the honour to convey herewith a copy of the letter dated 4 October 2004 addressed to you by H.E. Mehmet Ali Talat, Prime Minister of the Turkish Republic of Northern Cyprus (see enclosure).

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 29, and of the Security Council.

(*Signed*) Reşat **Çağlar**
Representative

Enclosure

I have the honour to refer to the statement made by the Greek Cypriot leader, Mr. Tassos Papadopoulos, at the fifty-ninth session of the General Assembly in New York on 23 September 2004.

I wish to stress, at the outset, that as the Turkish Cypriot side we believe in the reunification of the island, and reiterate, once again, our firm conviction to find a just and lasting federal solution in Cyprus based on bizonality and political equality.

It is most disappointing to witness the Greek Cypriot leader's portrayal of the Cyprus question as a problem of "invasion and occupation" and "plea to Turkey to join" them in seeking "mutually beneficial solutions to the various aspects that compose the Cyprus problem" in an attempt to hide the fact that not Turkey and Turkish Cypriots but Mr. Papadopoulos himself and his administration have been the main culprits behind the collapse of Your Excellency's latest initiative. Moreover, the ramifications of this approach are clear and confirm our serious concerns that the Greek Cypriot leadership not only plan to continue with the pretence that they represent the whole of Cyprus but also refuse to acknowledge that the island of Cyprus is the common home of the Turkish Cypriots and Greek Cypriots alike who should share and have an equal say over its destiny.

The refusal of the Greek Cypriot leadership to acknowledge the foregoing and accept its side's responsibility in the destruction of the Republic of Cyprus in 1963 which ultimately segregated the two peoples and finally led to the present division of the island, does not help our objective to create the necessary atmosphere of mutual trust and confidence in which the two peoples of the island can share a common future. We are well aware of the fact that a peaceful future for the younger generations cannot be held prisoner to the tragic experiences of the past. It was in this spirit that your comprehensive settlement plan was approved by the Turkish Cypriot people by a 65 per cent majority demonstrating their strong will for a lasting settlement based on bizonality and political equality. On the other hand, 75 per cent of the Greek Cypriot people rejected the plan as called for and were misled by the Greek Cypriot leader, Mr. Papadopoulos, in his address on 7 April 2004, when he demanded a "resounding no to the Annan plan" from the Greek Cypriots.

In defence of this rejectionist attitude, Mr. Papadopoulos states that the verdict of the Greek Cypriot people on a proposed solution should be respected as "the people are in the best position to judge what is suitable for them". However, the Greek Cypriot leader conveniently overlooks his prime role in conjunction with a majority of the Greek Cypriot leadership in shaping the Greek Cypriot people's wrong perception of your plan as well as the deceptive assumption that the Cyprus issue needs be solved to their full satisfaction. Indeed, in his above-mentioned address the Greek Cypriot leader called upon his people to reject the United Nations plan in order to "achieve their joint strategic goal" which he described as "politically upgrading and shielding their internationally recognized state, the Republic of Cyprus". Moreover, Mr. Papadopoulos found no objection to assuring the Greek Cypriots that this would not be a final initiative but offered them the opportunity to collect the fruits of strengthened political weight acquired by European Union membership and exploit Turkey's accession efforts as well as the continuing international interest to their full advantage. This negative and harmful approach by the Greek Cypriot leadership caused widespread reaction from the

international community, including Your Excellency and high-level European Union officials.

The Greek Cypriot leadership launched a campaign following the referendums in order to explain why the Greek Cypriots voted against the United Nations plan. The rationale and arguments used in that explanation, which were also cited by Mr. Papadopoulos in his address to the General Assembly, were regarded as unfounded by the international community. In fact, the expressed views of the international community at large suffice to demonstrate that all but the Greek Cypriot side is in agreement that the United Nations plan offered carefully balanced and workable solutions to the issues and complaints raised by the Greek Cypriot leader in his speech.

Mr. Papadopoulos states that the withdrawal of troops and "settlers", the underlying structures of a functioning economy, the functionality and workability of the new state of affairs, the just resolution of land and property issues and the respect of the right of return of refugees are essential parameters for a solution for the Greek Cypriots and, thus, implies that the United Nations plan did not address adequately and effectively any of these issues. Nothing can be further from the truth.

It hardly needs to be stressed that the plan provided the Greek Cypriots an invaluable opportunity to minimize the Turkish military presence to a symbolic number on the island, reduce the number of so-called "Turkish settlers" to an agreed level, and bring about the return of a serious percentage of land and restoration of a considerable amount of property to Greek Cypriots which would serve their social and economic interests.

The former Special Representative for Cyprus of the United Kingdom of Great Britain and Northern Ireland and the European Union, Lord David Hannay, also concluded that by taking the rejectionist baton the Greek Cypriot administration and political parties ensured that "9 per cent of territory on offer was not returned to their administration: that the tens of thousands of Greek Cypriots who would have returned to their property would not be able to do so; that Turkey's troop presence would not be reduced; and that there would be no cap on the number of Turkish mainland citizens who would come to the north and get Turkish Cypriot citizenship" (House of Lords, 26 May 2004).

As for the Greek Cypriot requirement for "functionality and workability" and that any solution must be based on international legality including universal human rights and freedoms, the following remarks suffice to demonstrate that the Annan plan was fully in line with the norms and principles of both the European Union and the United Nations. Mr. Gunther Verheugen confirmed this on 15 April 2004 in the following words: "I would like to stress that the Annan plan is in line with the fundamental principles on which the European Union is founded and that viability and economic sustainability have been strengthened. The finalized comprehensive settlement ensures that the United Cyprus Republic is able to speak with one voice in international forums and to fully participate in the European Union's decision-making process, and that the acquis is properly applied and enforced on the island" (High-Level Preparatory Donors' Conference). On the other hand, in your report on Cyprus to the Security Council dated 16 April 2004, Your Excellency also rightly reiterated that the plan "was drawn up taking full consideration of relevant United

Nations resolutions and treaties" and that it "provides for a new state of affairs that is in full accordance with the Council's vision for a settlement".

The Greek Cypriot leader also wrongly argues that the United Nations plan failed to address the serious concerns of the Greek Cypriot people regarding security and effective implementation. This allegation is also misleading, as Greek Cypriot concerns for implementation and security had been repeatedly voiced in the past with an absence of substantive warrants backing their vague complaints. The United States Ambassador to the Security Council, Mr. Cunningham, called for the Greek Cypriots "to articulate, with clarity and finality, concerns that they have indicated regarding implementation of the settlement plan and its security provisions" and continued by adding that "only when they are articulated can such concerns be addressed" (Statement to the Security Council, 11 June 2004).

Regarding the inconceivable claim by Mr. Papadopoulos that the United Nations plan "was not the product of negotiation", I can only remind him that the world witnessed the two parties in Cyprus negotiate on and off, under United Nations auspices, for the preceding four and a half years before the final version of the Annan plan was submitted for the approval of both sides. In fact, during the final stages, in addition to the United Nations officials, a considerable number of international experts were also present to assist hundreds of officials and experts from both sides to finalize the work of the technical committees. As for his implication that the end product was dictated by the interests of the third parties, I only wish to recall the following words of the Minister for European Affairs of the United Kingdom, Mr. MacShane: "Much of the finalized document is the result of the work of Greek Cypriots themselves ... I repeat that I firmly believe that the plan provides a fair, just and lasting basis on which to reunite ..." (House of Commons, 16 May 2004). In fact, because of the lack of willing cooperation by the Turkish side, the plan was an outcome of the work of the United Nations team in close cooperation with the Greek Cypriot leadership of the time.

The fact is that the comprehensive settlement plan of the United Nations did not satisfy all the demands and needs of either the Turkish Cypriot or the Greek Cypriot people. A very long list of why the plan should have been rejected also exists in the minds of all Turkish Cypriots. However, as the Turkish Cypriot side, we are well aware of the fact that a durable solution also has its price and requires a good deal of compromise. On 24 April 2004, the Turkish Cypriot people declared their will to pay the cost for a viable settlement and voted in favour of the United Nations plan. The Greek Cypriots, on the other hand, expressed their will towards no compromise and thus voted down a negotiated settlement.

Mr. Papadopoulos stresses that the verdict of the people must be respected and solemnly declares that "the accession of Cyprus to the European Union, in conjunction with the lack of an agreement" signifies the end of an era and the beginning of a new one. The results of the referendums clearly demonstrated the strong desire of the Turkish Cypriot people for a settlement based on partnership and equality, on the one hand, and the rejection, on the other, of the Greek Cypriot people entering into a power-sharing arrangement on the basis of equality with us. The separate simultaneous referendums also reconfirmed the fact that neither the Greek Cypriots nor the Turkish Cypriots represented each other. Consequently it would be an untenable claim that there is a single authority to represent the whole island, disregarding the reality that any solution in Cyprus requires the consent of

both sides. The Greek Cypriot side, over the years, based its arguments on the principle of the doctrine of necessity. However, after the referendums the Greek Cypriot side can no longer exploit the doctrine of necessity against the Turkish Cypriot since it was the Greek Cypriot leadership and, ultimately the Greek Cypriot people, which blocked a comprehensive settlement on the island, thus returning to "normal conditions".

The fact remains, therefore, that the "new era" holds a serious injustice. The Greek Cypriot side which opted for no settlement continues to enjoy the benefits of the usurped title of "Republic of Cyprus" and has become a member of the European Union, whereas the Turkish Cypriot side which voted for a peaceful reunification not only remained outside the European Union but continues to be subjected to political and economic restrictions and isolation. The question now is whether the world shall continue to close its eyes to this unjust situation and allow the Greek Cypriots who opted for no solution to continue pretending that they represent the whole island or honour the Turkish Cypriots with their vested rights to speak and act for themselves through their separate will which they have exercised towards the unification of the island. As also stressed by Your Excellency, the result of the Turkish Cypriot referendum "has undone whatever rational might have existed for pressuring and isolating" our people. The Turkish Cypriot people who have certainly done their part, expect the international community to address the unjust circumstances that they have been living in through no fault of their own and lift the restrictions on the economic, social and political development.

In this context, we welcome the efforts of the international community in accordance with Your Excellency's call "to cooperate both bilaterally and in international bodies to eliminate the unnecessary restrictions and barriers that have the effect of isolating the Turkish Cypriots and impeding their development". It is most disappointing, however, to witness that international efforts aimed at supporting the economic and social development of the Turkish Cypriot people are being seriously hampered by the Greek Cypriot administration. In fact, the policies and proposals cited by the Greek Cypriot leader as directed towards the enhancement of the economic development of Turkish Cypriots are merely designed to prevent international efforts, such as the proposals of the European Union Commission, particularly as regards direct trade and financial aid to North Cyprus, from materializing and continuing to hold the development of the Turkish Cypriot economy hostage to its political considerations. In fact while Mr. Papadopoulos claims to have directed their internal strategies towards paving the way for the economic prosperity of Turkish Cypriots, his administration has launched a major lobbying campaign in the international arena to prevent any and all kinds of contributions towards that end. It is no secret that the mounting efforts of the Greek Cypriot side vis-à-vis the European Union member States and institutions are aimed at turning the financial aid regulation into an unworkable process, on the one hand, and totally doing away with the direct trade regulation, on the other.

As the Turkish Cypriot side we have, undoubtedly, proved our firm commitment to reconciliation, as also evidenced by our recent action, including the opening of the Greek Cypriot secondary school in the Karpaz area in North Cyprus and the positive developments on the missing persons issue. It is, however, amply clear that entrusting the all-important issue of overcoming the difficulties in the way of the economic and social development of the Turkish Cypriot people with the Greek Cypriot administration can only help the Greek Cypriot leadership to further

harden the uncompromising position it displayed at the referendums. In spite of their statements to the contrary, it is evident from the actions of the Greek Cypriot leadership in the aftermath of the referendums that they have no intention of abandoning their policy of accusing others for the impasse that they have created and utilizing its consequences to do away with the established parameters of a solution which came into existence as a result of almost four decades of United Nations-sponsored negotiations. It is most striking in this context that Mr. Papadopoulos chose to call upon Turkey to help solve the Cyprus question but made no reference to the mission of the good offices of the United Nations Secretary-General. It would undoubtedly, be more meaningful if the Greek Cypriot leader called upon Your Excellency to continue your invaluable efforts if the Greek Cypriot side were sincerely ready to turn its expressed will for negotiated settlement into concrete actions. The truth of the matter is that the present Greek Cypriot policies are directed towards distorting the essence of the Cyprus issue and presenting it as merely a problem of invasion to be solved within the European Union. This misguided approach can only help further complicate the present impasse for all concerned, including the European Union.

I therefore take this opportunity to call upon the international community, once more, to take concrete steps towards ending the isolation of the Turkish Cypriot people and lifting the restrictions on their economic and social life in order to facilitate their overall development. I sincerely believe that only then shall the Greek Cypriot leadership have a real incentive to re-evaluate its position and begin to see the benefits of a mutually agreed settlement in Cyprus. I wish to stress, before I conclude, that all our efforts and actions will be directed towards preparing for the day that our counterparts shall finally be ready to share a common future on the basis of partnership and equality.

(*Signed*) Mehmet Ali **Talat**
Prime Minister